

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

207-A

**CRM-M-21277-2019 (O&M)
Decided on : 04.07.2019**

Manjinder Singh and another

...Petitioners

Versus

State of Punjab and another

. ..Respondents

CORAM : HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present : Mr.Kamaldeep Singh Sodhi, Advocate for the petitioners.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab.

Mr. Sukhvinder Kamboj, Advocate for respondent No.2.

HARNARESH SINGH GILL, J. (ORAL)

The present petition has been filed for quashing of FIR No.315 dated 28.11.2018 under Sections 498-A, 406 IPC registered at Police Station Sultanpur Lodhi, District Kapurthala (Annexure P-1) and consequential proceedings arising therefrom on the basis of compromise dated 28.01.2019 (Annexure P-2) arrived at between the parties.

A joint statement of the petitioner and respondent No.1 under Section 13-B of the Hindu Marriage Act, 1955 for dissolution of marriage was recorded on 28.01.2019 before the Additional Civil Judge, Sultanpur Lodhi, Kapurthala.

This Court by the order dated 09.05.2019 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording their statements. Order dated 09.05.2019 is reproduced hereunder:-

“Notice of motion.

On the asking of the Court, Mr. Sukhbeer Singh, AAG, Punjab, has accepted notice on behalf of respondent(s)-State. Mr. Sukhvinder Kamboj, Advocate, has appeared and filed power of attorney on behalf of respondent No.2. Copies of the paper book alongwith documents have been supplied to the said counsel.

Service is complete.

Learned counsel for the petitioners as well as learned counsel for respondent No.2 state that compromise has been effected between the parties.

List on 04.07.2019, for further proceedings.

Meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate on 22.05.2019 or any other convenient date to the court and to get recorded their statements regarding compromise. The learned trial Court/Illaq Magistrate, is directed to send the report regarding the genuineness of compromise on or before the date fixed in the instant petition.

To be heard alongwith CRM-M-1985-2019.

A copy of this order be sent to the learned trial Court/Illaq Magistrate through fax for compliance.”

In compliance with the order dated 09.05.2019, the parties had appeared before the Sub Divisional Judicial Magistrate, Sultanpur Lodhi and recorded their statements on 24.05.2019. As per the report dated 27.05.2019 submitted by Sub Divisional Judicial Magistrate, Sultanpur Lodhi, the compromise has been effected between the parties without any fear or undue influence.

In view of the law laid down in “**Anita Maria Dias and another versus State of Maharashtra and another**” (2018) 3 SCC 290, no useful purpose will be served by continuing with the criminal proceedings.

Therefore, the petition is allowed and FIR No.315 dated 28.11.2018 under Sections 498-A, 406 IPC registered at Police Station Sultanpur Lodhi, District Kapurthala and all consequential proceedings arising therefrom, are hereby quashed qua the petitioners.

(HARNARESH SINGH GILL)
JUDGE

04.07.2019
pooja saini

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No